

March 2, 2005

## **NOTICE OF EX PARTE - VIA ELECTRONIC FILING**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: Notice of Ex Parte  
Level 3 Petition for Forbearance, CC Docket No. 03-266  
IP-Enabled Services, WC Docket No. 04-36  
Communications Assistance for Law Enforcement Act, ET Docket No. 04-295**

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Federal Communications Commission's ("Commission") Rules, this letter serves to provide notice in the above-captioned proceedings of an *ex parte* meeting. On March 1, 2005, the undersigned, on behalf of i2 Telecom International, Inc. ("i2 Telecom"), met with Christopher Libertelli, Senior Legal Advisor to Chairman Powell.

During the meeting, i2 Telecom discussed the Company's views on the IP-Enabled Services proceeding,<sup>1</sup> the Level 3 Communications' ("Level 3") Petition for Forbearance ("Petition"),<sup>2</sup> and the Communications Assistance for Law Enforcement Act ("CALEA") proceeding,<sup>3</sup> which were consistent with the positions expressed in i2 Telecom's *ex parte* meetings of February 23, 2005. Accordingly, the *ex parte* notice letter filed pursuant to that meeting is attached hereto as Exhibit A. The Company also provided written materials to Mr. Libertelli which were identical to the materials distributed at the February 23, 2005, *ex parte* meeting and are attached hereto as Exhibit B.

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<sup>1</sup> See *IP-Enabled Services*, WC Docket No. 04-36, Notice of Proposed Rulemaking, FCC 04-28 (rel. Mar. 10, 2004).

<sup>2</sup> See *Petition for Forbearance Under 47 U.S.C. § 160(c) from Enforcement of 47 U.S.C. § 251(g), Rule 51.701(b)(1), and Rule 69.5(b)*, WC Docket 03-266 (filed Dec. 23, 2003) ("Level 3 Petition").

<sup>3</sup> See *Communications Assistance for Law Enforcement Act and Broadband Access and Services*, Notice of Proposed Rulemaking and Declaratory Ruling, ET Docket No. 04-295, RM-10865 (rel. Aug. 9, 2004).

**SWIDLER BERLIN LLP**

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Pursuant to the Commission's Rules, this letter is being submitted electronically to the Secretary for filing in the above-referenced proceedings.

Sincerely,

/s/  
Ronald W. Del Sesto, Jr.

Counsel for i2 Telecom International, Inc.

cc: Paul Arena, CEO